



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule makingAgency: **BOARD OF PILOTAGE COMMISSIONERS**

- ☐ Preproposal Statement of Inquiry was filed as WSR _____; or
☐ Expedited Rule Making--Proposed notice was filed as WSR _____; or
☒ Proposal is exempt under RCW 34.05.310(4).

- ☒ Original Notice
☐ Supplemental Notice to WSR _____
☐ Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject)

WAC 363-116-300: Pilotage Rates for the Puget Sound Pilotage District

Hearing location(s):

2901 Third Avenue
4th Floor, Rainier Conference Room
Seattle, WA 98121

Date: May 4, 2010 Time: 9:00 a.m.Date of intended adoption: May 4, 2010
(Note: This is **NOT** the effective date)

Submit written comments to:

Name: **Captain Harry Dudley, Chairman**
Address: **2901 Third Avenue, Suite 500**
Seattle, WA 98121

e-mail larsonp@wsdot.wa.govfax (206) 515-3906 by (date) April 26, 2010

Assistance for persons with disabilities: Contact

Shawna Erickson by April 29, 2010TTY () _____ or (206) 515-3647

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The purpose of the proposal is to establish a Puget Sound Pilotage District annual tariff.

The proposed rule reflects a range of adjustments to be charged for pilotage services in the Puget Sound Pilotage District for the 2010-2011 tariff year. The low end of the range is proposed by the Pacific Merchant Shipping Association (PMSA) and the high end of the range is proposed by the Puget Sound Pilots (PSP). Upon consideration of all written and oral testimony, it is anticipated that the adopted rule will reflect an across-the-board adjustment to the tariff in a range between a decrease of 10% and an increase of 10%. An alternative adjustment proposed by PSP in lieu of an increase of 10% is an increase to just the *Boarding Charge* category from the current \$47.00 to \$415.00.

Exceptions include two tariff categories specified below:

- The proposed rule reflects no adjustment to the \$10 *Training Surcharge* which supports pilot training stipends.
- The proposed rule reflects no adjustments to the *Transportation to Vessels on Puget Sound Category*.

Reasons supporting proposal: **RCW 88.16.035** requires that a tariff be set annually.Statutory authority for adoption: **RCW 88.16.035**Statute being implemented: **Chapter 88.16 RCW**

Is rule necessary because of a:

- Federal Law? ☐ Yes ☒ No
Federal Court Decision? ☐ Yes ☒ No
State Court Decision? ☐ Yes ☒ No
If yes, CITATION:

DATE

March 23, 2010

NAME

Peggy Larson

SIGNATURE

TITLE

Administrator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: **March 23, 2010**TIME: **1:20 PM****WSR 10-07-137**

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Current rates for the Puget Sound Pilotage District expire on June 30, 2010. New rates must be set annually.

The Board may adopt a rule that varies from the proposed rule upon consideration of presentations and written comments from the public and any other interested parties.

Name of proponent: (person or organization)

Puget Sound Pilots and Pacific Merchant Shipping Association

☒ Private
☐ Public
☐ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting.....Board of Pilotage Commissioners	2901 Third Avenue, Seattle, WA 98121	(206) 515-3904
Implementation....Board of Pilotage Commissioners	2901 Third Avenue, Seattle, WA 98121	(206) 515-3904
Enforcement.....Board of Pilotage Commissioners	2901 Third Avenue, Seattle, WA 98121	(206) 515-3904

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No. Explain why no statement was prepared.

The proposed rule is being considered in the context of the required annual review of the rates charged for pilotage services.

The application of the range of proposed adjustments is clear in the description of the proposal and its anticipated effects as well as the attached proposed tariff.

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No: Please explain:

RCW 34.05.328 does not apply to this rule adoption. The Washington State Board of Pilotage Commissioners is not a listed agency in RCW 34.05.328(5)(a)(i).